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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				
EXAMINER				
NUNEZ, JORDANY				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,525

Applicant(s)

MASSASSO ET AL.

Examiner

Jordany Núñez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/CB/CIC)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 10-23 are rejected under 35 U.S.C. 102(e) as being anticipated by DiStefano, III (6771291).

Re claim 1, DiStefano, III discloses a system for generating a user interface for a web application program, the system comprising:

a repository (in 190 or 170 for example) of reusable screen components including graphical user interface (GUI) components stored in a computer-readable medium (figure 2 shows GUI components used for example);

means for enabling a user to create a web page layout by (method of designing, see abstract for example):

selecting GUI components from the repository (see column 5 lines 12-14, lines 37-38 for example),

arranging the selected GUI components within the web page (see column 6 lines 3-7, lines 26-27 for example),

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a

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second GUI component (selecting a web assets color and sound, see column 7 lines 25-34, lines 41-46, for example), and

defining interaction between one or more of the selected GUI components (e.g., banner) and the web application program (e.g., sticky pad), the interaction involving transactional business data (e.g., advertising) and one or more backend systems (e.g., advertising tracking system) wherein the selected GUI components (e.g., banner) contain transactional business data (e.g., information on a user's website) and inherit properties specific to the one or more selected GUI components (e.g., the banner inherits its design) from a user interface framework (see column 9, lines 35-49; column 11 lines 40-43, column 12 lines 35-38 for example); and

means for storing rendering information of the web page layout to enable a web server to render the web page ("GUI is stored", see column 5 line 2 for example).

Re claim 2, DiStefano, III discloses a system, wherein the repository of reusable screen components includes at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (color palette 640 for example).

Re claim 3, DiStefano, III discloses a system, wherein the means for storing rendering information include means for storing at least one of layout settings of the selected components, properties of the selected components, and the handling of data represented by the selected components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 4, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables defining the web page layout (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 5, DiStefano, III discloses a system, further comprising means for retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information (see column 5 lines 50-55 for example).

Re claim 6, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables describing event handlers assigned to the

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reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 50-63 for example).

Re claim 7, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables describing an application model assignment of the data presented by the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-66 for example).

Re claim 8, DiStefano, III discloses a system for generating a user interface for a web application program, the system comprising:

a first set of database tables to define screens, the first set of database tables being stored in a computer-readable storage medium and including one or more tables that describe graphical user interface (GUI) screen components, screen layout, component configuration, application model assignment, and event handling (fig. 1, el. 170; col. 4, l. 34-41) (e.g., web assets database stores assets used to develop a website);

a first set of transactions for administrating the first set of database tables, the first set of transactions being stored in a computer-readable storage medium (inherent, databases must have set of transactions for administration); and

means for generating web pages by accessing the first set of database tables using the first set of transactions, wherein accessing the first set of database tables includes accessing information relating to at least one of the GUI screen components and event handling (col. 4, l. 65-67; col. 5, l. 25-40) (creating a website using web assets); and

a second set of database tables (fig. 1, el. 190 for example) based upon the first set of stored database tables, the second set of stored database tables being stored on a computer-readable storage medium and configured for customization and personalization of the user interface (see items 170 or 190, figure 2, and abstract, column 6 lines 3-7, lines 26-27, column 5 lines 12-14, line 37-38, column 7 lines 25-34 for example) (storage, see column 2 lines 35-40, column 4 lines 42-44, column 5 line 2 and column 18 lines 60-63 for example) wherein a graphical user interface (GUI) screen component in the second set of database tables inherits properties specific to one or more graphical user interface (GUI) components in

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the first set of database tables from a user interface framework and applies at least one inherited property from among the inherited properties to the graphical user interface screen component (GUI) in the second set of database tables during the customization and personalization of the user interface (col. 5, l. 1-17) (e.g., nearly all of the programming required to operate a GUI, as defined using the web assets from web assets database 170, is stored on programming database 190).

Re claim 10, DiStefano, III discloses a system, wherein the first set of database tables that describe GUI screen components include at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 11, DiStefano, III discloses a method for generating a user interface for a web application program, the method comprising:

selecting graphical user interface (GUI) components from a repository of reusable screen components (images 121 and story files 123 for example) (retrieves story information from database, see paragraph 0051 for example);

arranging the selected GUI components to create a web page layout (produces a set of published news Web pages see paragraph 0051 for example);

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component (see paragraph 0083 for example);

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving transactional business data and one or more backend systems, wherein the selected GUI components contain transactional business data and inherit properties specific to the one or more selected GUI components from a user interface framework (see column 9, lines 35-49; column 11 lines 40-43, column 12 lines 35-38 for example); and

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storing (database 400 for example) rendering information of the web page layout to enable rendering of the web page by a web server (see items 170,190, figure 2, abstract, and column 7 lines 25-34 for example).

Re claim 12, DiStefano, III discloses a method, wherein the repository of reusable screen components includes at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 13, DiStefano, III discloses a method, wherein storing the rendering information comprises at least one of storing layout settings of the selected GUI components, storing properties of the selected GUI components, and storing information about the handling of data represented by the selected GUI components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 14, DiStefano, III discloses a method, wherein storing rendering information comprises storing variables defining the web page layout (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 15, DiStefano, III discloses a method, further comprising retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information (see column 5 lines 50-55 for example).

Re claim 16, DiStefano, III discloses a method, wherein storing rendering information comprises storing variables defining event handlers assigned to the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-63 for example).

Re claim 17, DiStefano, III discloses a method wherein storing rendering information comprises storing variables defining an application model assignment of the data presented by the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-66 for example).

Re claim 18, DiStefano, III discloses a computer-readable storage medium comprising program code means for performing a method according to any one of the claims 11 to 17 when the program is run on a computer (see abstract for example).

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Re claim 19, DiStefano, III discloses a computer readable storage medium that stores executable instructions causing a computer system to provide:

a repository of reusable screen components including graphical user interface (GUI) components;

means for enabling a user to create a web page layout by:

selecting GUI components from the repository,

arranging the selected GUI components within the web page,

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component, and

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving transactional business data and one or more backend systems, wherein the selected GUI components contain transactional business data and inherit properties specific to the one or more selected GUI components from a user interface framework (see column 9, lines 35-49; column 11 lines 40-43, column 12 lines 35-38 for example); and

means for storing rendering information of the web page layout to enable a web server to render the web page (see items 170 or 190, figure 2, abstract, column 5 lines 2 and lines 12-14, lines 37-38, column 6 lines 3-7, lines 26-27, column 7 lines 25-34, column 11 lines 40-43, column 12 lines 35-38 for example).

Re claim 20, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to have the repository of reusable screen components include at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 21, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to provide means for storing the rendering information, including means for storing at least one of layout settings of the selected GUI components,

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properties of the selected GUI components, and the handling of data represented by the selected GUI components ("GUI is stored" column 5 line 2 and abstract for example).

Re claim 22, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to provide data storage means for storing variables defining the web page layout ("GUI is stored" column 5 line 2 and abstract for example).

Re claim 23, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to provide means for retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information ("GUI is stored" column 5 line 2 and abstract, and column 5 lines 50-55 for example)).

Response to Arguments

3. Applicant's arguments have been fully considered but are not persuasive. Examiner reiterates that references to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention

Applicant argues:

1) The Office Action alleges that "transactional business data" is both "advertising" and "information on a user's website." The Office Action fails, however, to allege how "advertising" constitutes "transactional." There is nothing inherent to the term "advertising" that even insinuates a "transaction" of business. An advertisement cannot reasonably constitute a "transaction" because an advertisement, at best, is an invitation to enter into a transaction and is not the actual transaction of business. In that sense, an advertisement may carry advertising data, but it cannot be said to constitute "transactional business data" because the advertisement cannot constitute a "transaction" of business (page 11, penultimate paragraph).

Examiner disagrees.

A wedding photo album, which includes information about a wedding, might include an invitation to an associated wedding ceremony, even though the invitation is not strictly part of the wedding. In the same manner, one of ordinary skill in the art would include as "transaction business data" the data which invites someone to a business transaction (i.e., an advertisement), even if the invitation is not strictly part

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of the transaction. In that sense, an advertisement carrying advertising data may clearly be said to constitute "transactional business data."

Applicant argues:

2) The Office Action asserts that this "banner" contains the claimed "transactional business data" that it equates to "information on a user's website." Even assuming, for the sake of discussion, "information on a user's website" could constitute "transactional business data," which it cannot for at least the reasons outlined above, DiStefano explicitly discloses that it is not the banner that "contains transactional business data" as the Office Action alleges.

Specifically, DiStefano discloses that an unrelated "log-in" button has fields that allow the user to input information such as his "name, address, e-mail address, telephone number, interests, hobbies, and businesses." DiStefano Col. 12 lines 37-38. But, even if this information could constitute the claimed "transactional business data," the data is linked to the log-in menu and not the banner as the Office Action suggests. Thus, even assuming that the rest of the Office Action's interpretation of DiStefano is correct, there is nothing that discloses or suggests that DiStefano discloses "GUI components" that "contain transactional business data" as recited in claim 1 because DiStefano states that the alleged "information" is contained in a "log-in menu" and not the "banner" as the Office Action contends. Accordingly, DiStefano cannot reasonably be said to disclose or suggest each and every element of claim 1. Thus, the rejection should be withdrawn (page 13, penultimate and last paragraphs).

Examiner disagrees.

The claim limitation in question reads "defining interaction between one or more of the selected GUI components and the web application program, the interaction involving transactional business data and one or more backend systems, wherein the selected GUI components contain transactional business data." DiStefano (column 9, lines 35-49) teaches defining a banner ad with which a user may interact within a sticky pad, the interaction being defined according to how the user designs the banner ad (e.g., defining interaction between one or more of the selected GUI components and the web application program); an advertising tracking system tracking how the user interacts with the banner add (e.g., the

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interaction involving back end systems); and the banner ad comprising including advertising data (e.g., wherein a selected GUI component contain transactional business data).

As to Applicant statement that a login button used to bring up a login menu is unrelated to the banner, that is incorrect. DiStefano (col. 4, l. 65-67; col. 5, l. 25-40; col. 6, l. 7-17; fig. 2) teaches a plurality of buttons (Fig. 2, 212) being used to enable a user to develop a website, including a login button to create a log-in menu. DiStefano further teaches the plurality of button of fig. 2, 212 is what is used to create banners (col. 6, l. 7-17), and in fact anything related to the website, including the login menu. Thus, it is clear that the login menu is related to the banner at least because they are both part of the same website. Finally, DiStefano (col. 13, l. 1-10) teaches that once a registered user logs in, the user may modify any element within a design space element, including a banner. Thus it clear that DiStefano teaches a banner being associated to a login menu.

Applicant argues:

3) The Office Action alleges that a "banner" constitutes the claimed "GUI component." Office Action p. 3. The Office Action then asserts that the "banner inherits its design from a 'user interface framework'." But, clearly, the disclosed banner does not inherit its design from a "user interface framework" because a user designs the banner ad. DiStefano explicitly discloses that the "STICKY PAD" tool allows the user to "design" a banner ad in column 9 lines 35-37. Thus, even if a "banner" can constitute the claimed "GUI component," which Applicant does not concede, there is nothing to suggest that the claimed "GUI component inherits properties specific to the one or more selected GUI components from a user interface framework" because in DiStefano the user designs the banner. The banner is not inherited (page 12, last paragraph).

Examiner disagrees.

Applicant misrepresents the teachings of DiStefano. DiStefano (column 9, lines 35-49) teaches of a user designing a banner by searching through menu though which a user makes selection of an available banner ad. In effect, a use "designs" a banner by choosing from available banner ads. One of ordinary skill in the art would readily recognize that this "design by choosing" includes inheriting

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"properties specific to the one or more GUI components", in other words, the properties specific to the chosen banner are inherited from the user interface framework which allows a user to choose the design.

Also note that the examination includes giving each term in the claim its broadest reasonable interpretation in determining patentability of the claim.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordany Núñez whose telephone number is (571)272-2753. The examiner can normally be reached on Monday Through Thursday 9am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JN
6/7/2009

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175